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 GARY SWANSON

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

IL UNG KIM;
 YOUNG BAE RHA; and
 GARY SWANSON,

Defendant.

No. CR-06-0692 PJH

**STIPULATION AND ~~PROPOSED~~
 ORDER PERMITTING DEFENDANT
 GARY SWANSON'S WAIVER OF
 SPEEDY TRIAL ACT**

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UNITED STATES DISTRICT COURT
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Defendant Gary Swanson was indicted on October 18, 2006, and arraigned on November 29, 2006. At hearings before this Court, Mr. Swanson has agreed to exclude time from the calculations required by the Speedy Trial Act (18 U.S.C. 3161), even though such exclusions were objected to by co-defendant, I.U. Kim. Mr. Kim has now pled guilty to the charges in the indictment against him. Therefore, Mr. Swanson now formally waives his rights under the Speedy Trial Act for the following reasons: (1.) The complexity of the case, the nature of the prosecution and the existence of novel questions of fact and law make it unreasonable to expect adequate preparation for pretrial proceedings within the time limits established by the Speedy Trial Act. (2.) The discovery in this case is voluminous and includes over 19 million pages of documents. Given the large volume of discovery, counsel needs additional time for effective preparation, taking into account the exercise of due diligence. (3.) There are several corporate co-conspirators and individual co-conspirators-potential witnesses that reside outside the United States. Defendant Swanson anticipates the need to seek discovery from these co-conspirators and may need to take depositions outside the United States to secure their testimony because they may not be compelled

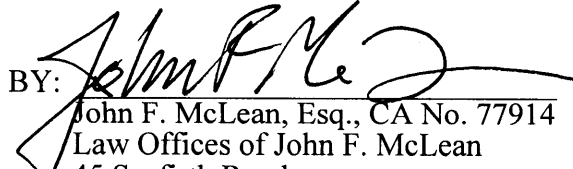
to appear at trial. Defendant Swanson also anticipates issuing subpoenas duces tecum to third parties, adding additional complexity to the this proceeding. See 18 U.S.C. §3161(h)(8)(a), (B)(ii) and (B)(iv).

Respectfully submitted by stipulation of the parties.

May 14, 2007.

GARY SWANSON

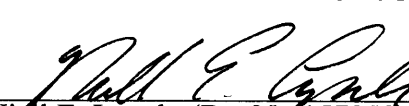
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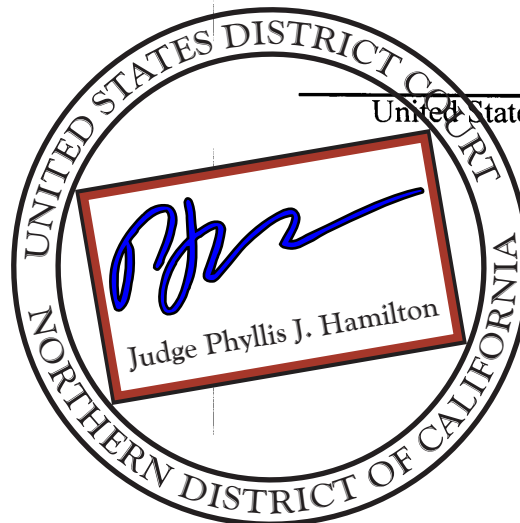
U.S. DEPARTMENT OF JUSTICE

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 15, 2007



United States District Judge